



09-10-03

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/145,916
Filing Date	Sept. 2, 1998
First Named Inventor	Michael Simons
Group Art Unit	1636
Examiner Name	David Guzo
Attorney Docket Number	BIS-039/CE

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Sequence Listing, 37 C.F.R. 1.821-1.825

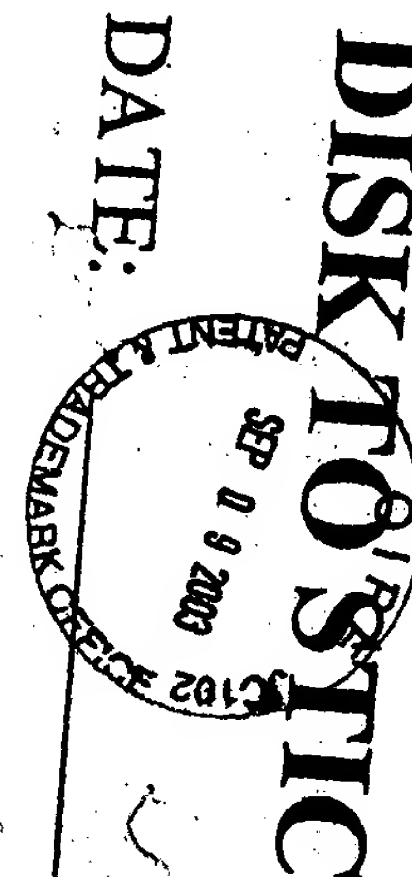
2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.114
a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.114)
- b. ☐ Other _____

3. Fees

 The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayment to the
Deposit Account No. _____
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 375.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)



SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	David Prashker	Registration No. (Attorney/Agent)	No. 29,693
Signature	<i>David Prashker</i>	Date	Sept. 9, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

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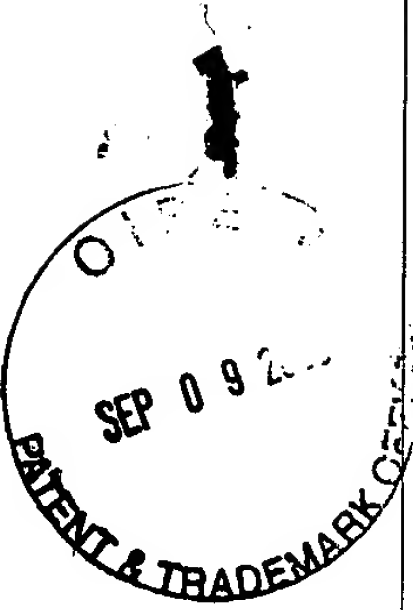
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Simons *et al.*
Serial No. : 09/145,916
Filed : September 2, 1998
For : "STIMULATION OF ANGIOGENESIS VIA
ENHANCED ENDOTHELIAL EXPRESSION
OF SYNDECAN-4 CORE PROTEINS"
Examiner : David Guzo
Group Art Unit : 1636
Attorney's Docket No. : BIS-039

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Attorney for applicants: _____

Signature: _____

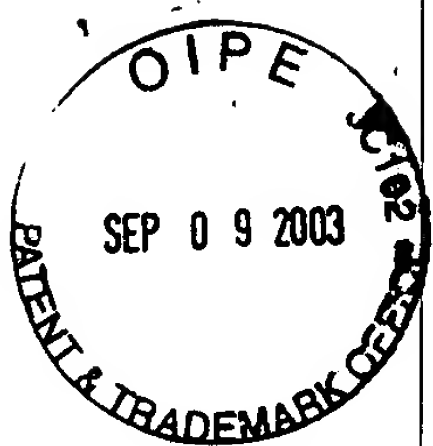
Date: _____

AMENDMENT OF SPECIFICATION AND REQUEST FOR ENTRY OF
A THIRD PAPER FORM COPY OF THE SEQUENCE LISTING
CONTAINING NUCLEOTIDE SEQUENCE AND/OR
AMINO ACID SEQUENCE DISCLOSURES

Commissioner for Patents
P.O. Box 1540
Mail Stop: RCE
Alexandria, Virginia 22313-1450

Dear Sir:

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Applicants : Simons *et al.*
Serial No. : 09/145,916
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Attorney for applicants: _____

Signature: _____

Date: _____

AMENDMENT AND RESPONSE SUBMITTED PURSUANT
TO 37 C.F.R.1.114 IN SUPPORT OF THE
REQUEST FOR CONTINUING EXAMINATION

Commissioner for Patents
P.O. Box 1450
Mail Stop: RCE
Alexandria, Virginia 22313-1450

Sir:

As part of the documents supporting the instant Request For Continuing Examination filed herewith in the U.S. Patent Office, applicants respectfully present their substantive Response in full to the most recently received (final) Official Action mailed April 11, 2003 for the above-identified application.

As a matter of substantive legal right, therefore, applicants hereby amend the Specification at page 29, lines 19-20; amend claims 1-3 and 12-13 respectively; and retain pending claims 4-8 and 11 respectively in unaltered form. The amendment to the Specification text, in clean copy and marked-up versions, is presented by the supporting documentary enclosures submitted herewith. Also, in view of the revised amendment practice (which became mandatory on July 30th, 2003), applicants now present the language for each of presently pending amended claims 1-3 and 12-13 respectively and for each of retained unaltered claims 4-8 and 11 respectively. The text of the currently pending claims begins on the immediately following page.